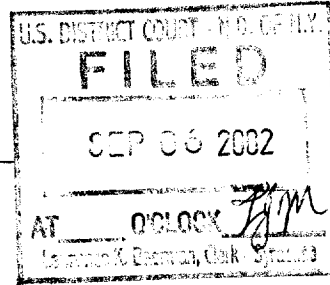


**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK**



86

JAMIE A. DAVIDSON,

Petitioner,

v.

UNITED STATES OF AMERICA,

Respondent.

00-CV-00869

92-CR-35

Appeal No. 01-2370

APPEARANCES:

OF COUNSEL:

JAMIE A. DAVIDSON
Petitioner, Pro Se
Reg. No. 37593-053
USP-Pollock
Post Office Box 2099
Pollock, LA 71467

HON. JOSEPH PAVONE
United States Attorney
Northern District of New York
P. O. Box 7198
Syracuse, NY 13261-7198
Attorney for Respondent

JOHN DUNCAN
Assistant U.S. Attorney

ORDER

McCURN, Senior Judge:

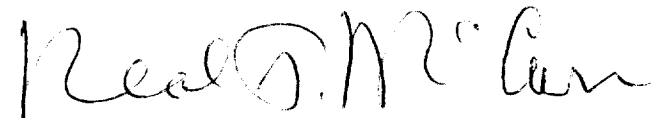
The court has before it for consideration Petitioner's motion for an evidentiary hearing filed July 11, 2002 (Dkt. # 80) and Petitioner's supplemental motion for an evidentiary hearing filed August 20, 2002 (Dkt. # 83). These motions are filed in connection with Petitioner's April 22, 2002 motion for

reconsideration (Dkt. # 74) of the court's Order of November 28, 2000 (Dkt. # 27) denying Petitioner's section 2255 motion to vacate his sentence of imprisonment and in connection with the mandate of the Second Circuit Court of Appeals dated June 12, 2002 remanding to this court for consideration of the Petitioner's claims of ineffective assistance of appellate and trial counsel (Dkt. # 78).

The matters as to which Petitioner seeks an evidentiary hearing, as recited in his moving papers and attached exhibits in support of said motions, are extraneous to the discrete issues presented to this court in the mandate of the Court of Appeals. Accordingly, after due consideration, the Petitioner's motions for an evidentiary hearing are hereby **DENIED**.

IT IS SO ORDERED.

DATED: September 4, 2002
Syracuse, NY

A handwritten signature in black ink, appearing to read "Neal P. McCurn", is written over a horizontal line.

Neal P. McCurn
Senior U.S. District Judge